



# City of Sunnyvale

## Meeting Minutes

### Zoning Administrator Hearing

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Wednesday, October 30, 2019

3:00 PM

West Conference Room, City Hall, 456 W.  
Olive Ave., Sunnyvale, CA 94086

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#### **CALL TO ORDER**

Michelle King, Zoning Administrator, called the meeting to order at 3:00 p.m.

#### **PUBLIC HEARINGS**

**Proposed Project:**

**SPECIAL DEVELOPMENT PERMIT** to consider a change of use for a 10,860-square foot tenant space from retail to self-storage.

**Location:** 802 West El Camino Real (APNs: 201-21-005)

**File #:** 2019-7294

**Zoning:** C-2 (ECR)

**Applicant / Owner:** Adaptive Architecture (applicant) / Sunnyvale Civic Sq. LLC (owner)

**Environmental Review:** Class 1 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

**Project Planner:** Shila Bagley, 408-730-7456,  
sbagley@sunnyvale.ca.gov

Ms. King inquired with Shila Bagley, project planner, if there were any comments or changes to the staff report.

Ms. Bagley stated there were no changes or comments to the staff report.

Ms. King opened the hearing to the applicants.

Laura Jacobsen, applicant, gave a summary of the project and stated there was a need for short-term smaller storage units in the surrounding neighborhood.

Ms. King opened the hearing to members of the public and seeing no members of the public who wanted to speak on this project, Ms. King closed the hearing to the public.

**ACTION:** Approved subject to the findings and conditions of approval located in the staff report.

**Proposed Project:** Related applications on a 14,299 square-foot site:

**TENTATIVE MAP:** to subdivide one lot into two lots.

**SPECIAL DEVELOPMENT PERMIT:** to construct two new single-family homes resulting in an overall floor area ratio (FAR) of approximately 45%.

**Location:** 1005 E. Homestead Road (APN: 313-35-054)

**File #:** 2019-7116

**Zoning:** R-0/PD (Low Density Residential)

**Applicant / Owner:** Khadiv Design Studio (applicant) / Mark Vena (owner)

**Environmental Review:** Class 3 Categorical Exemption relieves this project from the California Environmental Quality Act (CEQA) provisions.

**Project Planner:** Shila Bagley, 408-730-7456,  
sbagley@sunnyvale.ca.gov

Ms. King inquired with Shila Bagley, project planner, if there were any comments or changes to the staff report.

Ms. Bagley stated there were no changes or updates to the report.

Ms. King opened the hearing to the applicant.

Mark Vena, property owner, stated he had no additional comments.

Amol Joshi, neighbor, stated he appreciated the contact with developers and owners of the project to take into consideration the feedback they received from neighbors to make the appropriate changes.

Maida Becirovic, neighbor, stated she does not mind the two new homes built on the lot but the addition of the second floor will reduce her privacy.

Ms. King stated she will ask the project planner to speak about the orientation of the lots and the setbacks, which will provide some separation between neighbors and discuss the allowance for the second floor in the district.

Ms. Bagley stated a house is in between the proposed project and the resident's house, which will buffer the two lots from one another. The second story will have privacy screening trees along the side of the property and the second floor window will be inoperable and staff had placed conditions that they be frosted glass. With these measures in place, there will be no privacy impacts to Ms. Becirovic's residence from the second floor.

Vahid Becrovic, neighbor, stated he was confused with what the project planner stated. The trees would have to be very large in order to properly screen the property. He also questioned the ability of the frosted glass to mitigate privacy concerns. The addition of the second story would change the look of the neighborhood since there are no other houses of this height. The new homes are built for profit and bring in people who will have no regard for the neighborhood. There will be increased traffic, parking, and noise.

Lucy Fang, neighbor, stated second story buildings are not necessary and does not agree with this development.

David Fang, neighbor, stated he agrees with his wife.

Ms. King closed the hearing to the public and inquired with Ms. Bagley to give information on the zone district and rules for development in this district.

Ms. Bagley stated the zoning is not a single overlay district so it allows for second floor constructions. Staff can work with the applicant and neighbors to mitigate the privacy issues but cannot prevent residents from building second stories. The trees will grow and create a sufficient buffer for privacy.

Mr. Becrovic inquired what kind of trees they would be.

Ms. Bagley stated they would be Carolina cherry trees, typically used for privacy screening. The trees are on the side of the property and the distance will be more than eighty feet from Mr. Becrovic's house.

Ms. Fang and Mr. Becrovic stated it didn't matter since it doesn't address the height of the building and they did not agree with the development.

Noren Caliva-Lepe, Principal Planner, stated the minimum setback requirement for a second floor to be from the side yard is seven feet. The applicant is proposing a distance of fourteen feet, twice the amount. Based on the placement of the second floor, plus the privacy screening and the limitations on the windows, the applicant has shown they have made an effort in reducing the privacy impacts. Ms. Bagley has mentioned that two story is allowed in the neighborhood currently. If the applicants meet city guidelines and are within zoning regulations, staff would be limited in recommending a denial of the project.

Mr. Beclovic inquired about the process of the project and whether or not impact to neighbors are considered.

Ms. King stated the public process in a request for a special development project is to go through the Zoning Administrator hearing. This hearing was implemented to determine if the project meets the code, and to hear concerns as well as work with the applicant to address those concerns. Ms. King stated anyone in opposition to the approval of this project is more than welcome to appeal to the Planning Commission. Neighbors might also consider requesting a single story overlay for the neighborhood and while it may not apply to this particular project, this will prevent further construction of two story buildings. Ms. King encouraged neighbors to work through the public hearing process and to work with the applicant to come up with solutions that may further protect their privacy.

ACTION: Approved subject to the findings and conditions of approval in the staff report.

#### **ADJOURNMENT**

Ms. King adjourned the hearing at 3:14 p.m.